

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA §
§
v. § CRIMINAL NO. 4:06CR16 RAS/DDB
§
TRAVIS LOGAN HARRIS (3) §

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release.

After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on February 12, 2015, to determine whether Defendant violated his supervised release. Defendant was represented by Bobbie Peterson. The Government was represented by Ernest Gonzalez.

On October 19, 2006, Defendant was sentenced by the Honorable Richard A. Schell, United States District Judge, to a sentence of 76 months imprisonment followed by a 5-year term of supervised release, for the offense of Conspiracy to Manufacture, Distribute, or Possess with Intent to Manufacture, Distribute, or Dispense Methamphetamine. Defendant began his term of supervision on January 28, 2011.

On January 21, 2015, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender under Supervision (the "Petition") (Dkt. 639). The Petition asserts that Defendant violated the following conditions of supervision: (1) Defendant shall not leave the judicial district without permission of the Court or probation officer; Defendant shall notify the probation officer ten days

prior to any change of residence or employment; (3) Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or any other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician; (4) Under the guidance and direction of the U.S. Probation Office, Defendant shall participate in any combination of psychiatric, psychological, or mental health treatment as deemed appropriate by the treatment provider; and (5) Defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as Defendant is released from the program by the probation officer.

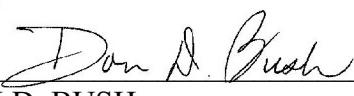
The Petition alleges that Defendant committed the following violations: (1) On October 4, 2014, Defendant traveled to Grapevine, Texas, without permission from his probation officer or the Court; (2) Defendant was terminated from his job on January 2, 2015, and he did not notify his probation officer; (3) On November 13, 2014, Defendant admitted he has been using K2, synthetic marijuana, since he was in the custody of the Bureau of Prisons and continued using while on supervised release. On November 13, 2014, Defendant admitted to using methamphetamine; (4) On January 6, 2015, Defendant failed to attend mental health treatment as directed; and (5) On December 29, 2014, January 3, 2015, and January 7, 2015, Defendant failed to submit a urine specimen for drug testing as directed.

At the hearing, Defendant entered a plea of true to the alleged violations. Defendant waived his right to allocute before the district judge and his right to object to the report and recommendation of this Court. The Court finds that Defendant has violated the terms of his supervised release.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984 and having considered the arguments presented at the February 2, 2015 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of six (6) months with no supervised release to follow.

SIGNED this 21st day of February, 2015.


DON D. BUSH
UNITED STATES MAGISTRATE JUDGE